

REMARKS

Applicants request favorable reconsideration and allowance of the subject application in view of the preceding amendments and the following remarks.

Claims 1-33 are presented for consideration. Claims 1, 9, 17, 25, 27, 29 and 30 are independent. Claims 1-33 have been amended to clarify features of the subject invention. Support for these changes can be found in the original application, as filed. Therefore, no new matter has been added.

Applicants request favorable reconsideration and withdrawal of the objections and rejections set forth in the above-noted Office Action.

Claim 11 was object due to an informality. Specifically, this claim was objected to due to an extraneous “.”, which has now been removed. Accordingly, Applicants submit that this objection has become moot and should be withdrawn. Such favorable indication is requested.

Claim 28 was also objected to due to an informality. Claim 28 having been amended to read more clearly, this objection has also become moot and should be withdrawn. Such favorable indication is requested.

Claims 31-33 were rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter. This rejection is respectfully traversed. Nevertheless, in order to expedite prosecution, the Examiner’s comments were taken into consideration when presenting amended claims 31-33. Applicants submit, therefore, that these claims, as presented, overcome the Examiner’s rejection under 35 U.S.C. § 101. Such favorable indication is requested.

Turning now to the art rejections, claims 1-4, 7-12, 15-20, 23-25, 27 and 29-33 were rejected under 35 U.S.C. § 102(a) and § 102(e) as being anticipated by U.S. Patent Application Publication No. 2003/0095160 (Ogiwara). Claims 5, 6, 13, 14, 21, 22, 26 and 28 were rejected under 35 U.S.C. § 103(a) as being unpatentable over the Ogiwara publication in view of U.S. Patent No. 6,982,800 (Cavill et al.). Applicants submit that the cited art, whether taken individually or in combination, does not teach or suggest many features of the present invention, as previously recited in these claims. Therefore, these rejections are respectfully traversed. Nevertheless, Applicants submit that independent claims 1, 9, 17, 25, 27, 29 and 30, for example, as presented, amplify the distinctions between the present invention and the cited art.

Ogiwara is directed to a print control method for a system in which a digital still camera and a printer are connected and marginless printing of an image stored on a memory card in the camera is performed. CPU 52 of the camera obtains the size of a recording paper from the printer and compares the size of the paper with an aspect ratio of the image. The aspect ratio is calculated based on the longitudinal and lateral dimensions of the stored image. The Office Action suggests that the size of the image can be construed as the first printing condition data (first recording condition in the original claims). However, Applicants submit that in Ogiwara the size of an image is attribute information inherent in the image, but is not stored independently of the image file for printing process of the image file.

Thus, Ogiwara fails to disclose or suggest at least first printing condition data associated with a printing process of the image file, with the first printing condition data stored independently of the image file, as is recited in independent Claims 1, 7, 17, 25, 27, 29 and 30.

Accordingly, Ogiwara also cannot disclose or suggest issuing a printing instruction to a printing apparatus on the basis of first and second printing condition data, as is also recited in independent Claim 1, 7 and 17.

Nor does Ogiwara disclose or suggest second printing condition data associated with the printing process of the image file on the basis of capability information associated with a print function, and that the second printing condition data includes information for designating the first printing condition data, as is recited in independent Claims 25 and 29.

Thus, Ogiwara fails to disclose or suggest important features of the present invention recited in the independent claims.

Cavill et al. relates to a photo printer and its method. In particular, print controller 700 receives image data from a camera 600 and processes the image data to send to printer 1300. At column 5, lines 45-48, Cavill et al. describes a digital print order format (DPOF), but the DPOF is made using user interface 23 of controller 700 and is not stored independently of an image file and a storage medium provided on the camera. Cavill et al. is not believed to remedy the deficiencies of Ogiwara noted above with respect to the independent claims.

For the foregoing reasons, Applicants submit that the present invention, as recited in independent claims 1, 9, 17, 25, 27, 29 and 30, is patentably defined over the cited art, whether that art is taken individually or in combination.

Dependent claims 2-8, 10-16, 18-24, 26, 28 and 31-33 also should be deemed allowable, in their own right, for defining other patentable features of the present invention in addition to

those recited in their respective independent claims. Further individual consideration of these dependent claims is requested.

Applicants submit that the instant application is in condition for allowance. Accordingly, Applicants request favorable reconsideration, withdrawal of the objections and rejections set forth in the above-noted Office Action and an early Notice of Allowance.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our address given below.

Respectfully submitted,

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